



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105-3901

September 17, 1992

Mr. Robert Ivey
Contracting Officer
United States Department of Energy
P.O. Box 2567
Grand Junction, CO 81502

RE: Response Action concerning DOE Mining Lease AT905-1-ML-60.8-NM-B-1, Bluewater Uranium Mine Site.

Dear Mr. Ivey:

As discussed in our latest telephone conversation on September 17, it is important for the Department of Energy (DOE) to immediately provide comments to the draft IAG in order for response actions to occur at the Haystack Mine Site. I have reaffirmed the cost estimates with Laguna Construction and they appear to be reasonable for conducting the required tasks.

I have discussed the pending IAG again with Linda Wandres of our Regional Counsel Office. She stated that an additional clause stating that DOE understands that it will remain liable in the future for this parcel of land in regards to environmental cleanups and also that the DOE assumes all costs for potential damages and litigation resulting from the response action if EPA participates.

I am still hopeful that you will be able to deliver a IAG package to EPA in the near future. Laguna Construction stated that they are able to mobilize and begin work in October and can continue to work until heavy rains or snows. Laguna Construction has stated that they are able to adequately seal the attics to your specification outlined in figure 5. However, to avoid entrance into the mine, they would most likely erect the concrete barrier closer to the outside than specified. The plan is to recontour the tailing slope to a 3 to 1 grade and place fill material on top (blending the slope into the hill side). Drain engineering controls will be installed including the possibility of terracing.

I hope we can work together to resolve this situation in a positive light. I can be reached at 602-871-6284 until October 2, 1992 and then at 415-744-2298. My fax number is 602-871-7333.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert E. Bornstein".

Robert E. Bornstein
Federal OSC